

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**THE CITY OF HUNTINGTON,
Plaintiff,**

**v.
AMERISOURCEBERGEN DRUG
CORPORATION, et al.,
Defendants.**

CIVIL ACTION NO. 3:17-01362

**CABELL COUNTY COMMISSION,
Plaintiff,**

**v.
AMERISOURCEBERGEN DRUG
CORPORATION, et al.,
Defendants.**

CIVIL ACTION NO. 3:17-01665

***FIRST NOTICE OF DEPOSITION OF
AMERISOURCEBERGEN DRUG CORPORATION***

Please take notice that the Plaintiffs hereby notice the deposition of AmerisourceBergen Drug Corporation in accordance with Rule 30(b)(6) of the Federal Rules of Civil Procedure on the following subject matters:

1. Validation and authentication of your CT2 transactional data and CT2 ARCOS data, including CT2_ARCOS_0000001 and CT2_ARCOS_0000002;
2. The operation of your suspicious order monitoring system (SOMS) regarding orders of prescription opioids arising out of the CT2 jurisdictions, including the setting of thresholds;
3. Each suspicious order your SOMS detected arising out of the CT2 jurisdictions;
4. Each suspicious order you reported to the DEA arising out of the CT2 jurisdictions;
5. Each suspicious order you reduced and/or cut to a lower amount and thereafter distributed into the CT2 jurisdictions;
6. Each order arising out of the CT2 jurisdictions that you cancelled and/or blocked as suspicious, including whether you reported the same to the DEA as suspicious;

7. Each order arising out of the CT2 jurisdictions that you identified as an order of interest and/or a suspicious order that you filled;
8. Each order that exceeded the thresholds in your SOMS that you filled;
9. Validation and authentication of the complete due diligence file for each of your customers you sold prescription opioids to in the CT2 jurisdictions; and
10. Any audit, investigation and/or review related to the sale of prescription opioids into the CT2 jurisdictions.

This deposition shall take place at a location and on a date mutually agreeable by the parties but no later than the close of fact discovery. If you object to producing a witness, or object to the specificity of the subject matters, please do so immediately to avoid delay. In lieu of producing a witness for deposition, Plaintiffs will accept a binding stipulation that you will produce a live witness(es) on these subject matters at trial.

Respectfully submitted,

THE CITY OF HUNTINGTON

/s/ Anne McGinness Kearse

Anne McGinness Kearse (WVSB No. 12547)

Joseph F. Rice

MOTLEY RICE LLC

28 Bridgeside Blvd.

Mount Pleasant, SC 29464

Tel: 843-216-9000

Fax: 843-216-9450

akearse@motleyrice.com

jrice@motleyrice.com

CABELL COUNTY COMMISSION

/s/ Paul T. Farrell, Jr.

Paul T. Farrell, Jr. (WVSB No. 7443)

FARRELL LAW

422 Ninth Street, 3rd Floor (25701)

P.O. Box 1180

Huntington, WV 25714-1180

Office: 304.523.7285

phone: 304.654.8281

email: paul@farrell.law

CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2020, a copy of the **FIRST NOTICE OF DEPOSITION OF AMERISOURCEBERGEN DRUG CORPORATION** was served using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Paul T. Farrell, Jr.

Paul T. Farrell, Jr., Esq. (W.Va. Bar No. 7443)

FARRELL LAW

P.O. Box 1180

Huntington, WV 25714-1180

422 Ninth Street, 3rd Floor

Huntington, West Virginia 25701

office: 304.523.7285

cell: 304.654.8281

email: paul@farrell.law